

**RESOLUTION NO. 76171**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE FURTHER EXTENDING TO AUGUST 31, 2012 THE PERIOD OF TIME FOR CITY TO CONTINUE TO WORK WITH THE CITY OF CAMPBELL REGARDING OPTIONS FOR AN ALTERNATIVE REORGANIZATION OF THAT CERTAIN TERRITORY PREVIOUSLY DESIGNATED AS CAMBRIAN NO. 36, EXPRESSING SUPPORT FOR THE CITY OF CAMPBELL'S EFFORTS TO PURSUE AN ALTERNATIVE REORGANIZATION OF THE CAMBRIAN NO. 36 POCKET AREA, AND AUTHORIZING THE DIRECTOR OF PLANNING, BUILDING AND CODE ENFORCEMENT TO SIGN APPLICATIONS OR OTHER DOCUMENTS THAT MAY BE REQUIRED OR REQUESTED BY THE SANTA CLARA COUNTY LOCAL AGENCY FORMATION COMMISSION TO INDICATE CITY'S SUPPORT FOR OR TO FACILITATE THE CITY OF CAMPBELL'S REORGANIZATION PROPOSAL FOR THE CAMBRIAN NO. 36 POCKET AREA, OR, IN THE ALTERNATIVE, DIRECTING THE DIRECTOR TO RE-INITIATE A REORGANIZATION OF THE CAMBRIAN NO. 36 POCKET AREA, AS APPROPRIATE**

**WHEREAS**, on December 7, 2011, the City Council of the City of San José adopted Resolution No. 75659 ordering the reorganization of a certain inhabited, unincorporated island territory designated as Cambrian No. 36; and

**WHEREAS**, as a part of that reorganization action, the City Council directed the City Administration to refrain for a period of six (6) months from proceeding to complete that reorganization in order to allow the City of Campbell to study, in consultation with the City of San José, possible alternative reorganizations of the area to the City of Campbell in a manner that would be revenue-neutral or beneficial to the City of San José, which period of time City Council extended to September 30, 2011 through the adoption of Resolution No. 75901 on June 21, 2011 and subsequently further extended to November 30, 2011 through the adoption of Resolution No. 75939 on August 2, 2011; and

**WHEREAS**, as a part of the City Council's actions on August 2, 2011 under Resolution No. 75939, the City Council also delegated authority to the Director of Planning,

Building and Code Enforcement to negotiate and execute on behalf of the City of San Jose an agreement with the City of Campbell related to possible alternative reorganizations of the previously designated Cambrian No. 36 pocket area to the City of Campbell in a manner that would be revenue-neutral or beneficial to the City of San José and which delegation of authority remains in effect; and

**WHEREAS**, studies and discussions related to the Cambrian No. 36 pocket area have been occurring between administrative representatives of the two (2) cities over the past several months and it appears that an alternative reorganization of the Cambrian No. 36 area that meets the goals and interests of both cities is possible; and

**WHEREAS**, staff with the Santa Clara County Local Agency Formation Commission ("LAFCO") has requested an indication from the City that City is supportive of and does not oppose consideration of an alternative reorganization proposal for the Cambrian No. 36 pocket area under which most of the area could be annexed to the City of Campbell and a small area could be detached from City, together with related modifications that would be needed to the joint urban service area and sphere of influence boundaries between the City of Campbell and City, and City desires to provide that support; and

**WHEREAS**, if, for any reason, such alternative reorganization of the Cambrian No. 36 pocket area does not proceed, then the City Council desires that the reorganization of Cambrian No. 36 that the City Council previously approved be reinitiated and completed in accordance with applicable state and local laws.

**NOW, THEREFORE**, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE AS FOLLOWS:

**SECTION 1.** The contents, provisions and substance set forth in City Council Resolution Nos. 75659, 75901 75939 are hereby acknowledged and, without limiting

the foregoing, the City Council acknowledges that the City Administration has been working with the City of Campbell to develop, and has developed, an alternative reorganization proposal for the Cambrian No. 36 pocket area that would be revenue-neutral or beneficial to the City of San José and that the Director of Planning, Building and Code Enforcement has been delegated the authority to negotiate and execute on behalf of the City of San Jose such agreement. It is anticipated that the City of Campbell and the City of San Jose would pursue such alternative reorganization in the future in a manner that conforms to all applicable state and local laws.

**SECTION 2.** In order to allow additional time for this City and the City of Campbell to further explore an alternative reorganization of the Cambrian No. 36 pocket area, the City Administration is authorized to continue discussions with the City of Campbell through August 31, 2012.

**SECTION 3.** Pursuant to a request from LAFCO, the City Council hereby indicates its support for, and does not oppose, consideration of an alternative reorganization proposal for the Cambrian No. 36 pocket area under which most of the area could be annexed to the City of Campbell and a small area (generally bounded by Central Park Drive, Oak Park Lane and Highland Park Lane) could be detached from City, together with related modifications that would be needed to the joint urban service area and sphere of influence boundaries between the City of Campbell and City, where the alternative organization and related modifications would be revenue-neutral or beneficial to the City of San José.

**SECTION 4.** If an alternative reorganization proposal for the Cambrian No. 36 pocket area that meets the description set forth in Section 3 above has not been scheduled for consideration by LAFCO on or before August 31, 2012, then the Director of Planning, Building and Code Enforcement ("Director") is hereby directed to proceed with the re-initiation on behalf of the City of San Jose of the Cambrian No. 36 reorganization in accordance with all applicable state and local laws.

**SECTION 5.** If an alternative reorganization proposal for the Cambrian No. 36 pocket area that meets the description set forth in Section 3 above has been scheduled for consideration by LAFCO on or before August 31, 2012, then Director is hereby authorized to sign on behalf of City those applications or other documents that may be required or requested by LAFCO in order to facilitate, or otherwise to indicate City's support for, the consideration of the City of Campbell's proposed reorganization of the Cambrian No. 36 pocket area, under which most of the area could be annexed to the City of Campbell and a small area (generally bounded by Central Park Drive, Oak Park Lane and Highland Park Lane) could be detached from City, together with related modifications that would be needed to the joint urban service area and sphere of influence boundaries between the City of Campbell and City.

**ADOPTED** this 27<sup>th</sup> day of MARCH, 2011, by the following vote:

AYES:	CAMPOS, CHU, CONSTANT, HERRERA, KALRA, LICCARD, PYLE, ROCHA; REED.
NOES:	OLIVERIO.
ABSENT:	NGUYEN.
DISQUALIFIED:	NONE.



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CHUCK REED  
Mayor

ATTEST:



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DENNIS D. HAWKINS, CMC  
City Clerk